

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
Plaintiff, ) 4:05CR3025  
vs. ) ) **MEMORANDUM  
AND ORDER**  
GARY OH WARD, )  
Defendant. )

The Court has been advised that the defendant requests permission to enter a plea of guilty. The Court is further advised that the defendant will consent to Judge Piester conducting the hearing on the plea of guilty.

IT IS ORDERED that:

1. This case, insofar as it concerns this defendant, is removed from the trial docket based upon the **oral motion** of the defendant that is **granted**.
2. A hearing on the defendant's anticipated plea of guilty is scheduled before Magistrate Judge Piester on the 28<sup>th</sup> day of November, 2005 at the hour of 3:30 p.m.
3. On or before the date for the plea proceeding, counsel for plaintiff and for defendant shall provide to the assigned probation officer their respective versions of the offense for purposes of preparing the presentence investigation report.
4. For this defendant, the time between today's date and the hearing on the anticipated plea of guilty is excluded for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. § 3161(h)(1)(I)&(h)(8)(A)(B)

Dated October 28, 2005.

BY THE COURT:

s/ David L. Piester

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United States Magistrate Judge